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October 24, 2022

UPDATED INFORMATION
REGARDING ENERGY AND WATER EFFICIENCY PROGRAM (EBEWE) COMPLIANCE DEADLINES
FOR "BENCHMARKING" AND "AUDITS AND RETRO-COMMISSIONING"

Dear Property Owner/Manager,

This notice supersedes the tolling notice dated May 9, 2022 and all previous tolling notices. Updates to the May 9, 2022 notice have been highlighted below in yellow and the notice has been posted at <https://www.ladbs.org/docs/default-source/publications/misc-publications/covid19-ebewe-deadlines.pdf>.

"Public Order Under City of Los Angeles Emergency Authority – Tolling of Deadlines Prescribed in the LAMC" (Los Angeles Municipal Code) issued by Mayor Garcetti on March 21, 2020 is still in effect. **Therefore, the Compliance Year 2022 deadline of December 1, 2022 for Audits and Retro-Commissioning (A/RCx) has also been tolled at this time.** Please be aware that tolling of EBEWE deadlines does not affect the designation of the Program Years 2019, 2020 and 2021 for Benchmarking and the Compliance Years 2021 and 2022 for A/RCx. **The deadlines of only the following Benchmarking Program Years and A/RCx Compliance Years have been tolled at this time:**

- **Benchmarking Program Years 2019, 2020, and 2021.** We encourage you to use the online benchmarking compliance services to comply with 2019, 2020, and 2021 so that the City can continue to develop energy and water efficiency programs.
- **Audits and Retro-Commissioning (A/RCx) Compliance Years 2021 and 2022.** Refer to Table 9708.2 of the LAMC for the Compliance Due Date for each Compliance Year. **Except for the issue date of the Energy Star (ES) Certification*, tolling of CY 2021 and CY 2022 A/RCx deadlines does not change the criteria associated with the time-limit requirements for exemptions** (i.e., Section 91.9706.1.3 Energy and Section 91.9706.2.3 Water).

* Section 91.9701.1.3.1 of the LAMC states that a building is exempt from an Energy A/RCx if "The building has received ENERGY STAR® Certification from the EPA for the year of the building's compliance due date in Section 91.9708." Due to the impact the COVID pandemic has had **or may have** on obtaining 2021 and 2022 ES Certifications from the EPA, the issue date of the ES Certification is tolled. **However, the ES Certification must still be issued for the year(s) that fulfills the requirements for the energy exemption being sought.** This tolling notice does not have any bearing or impact on the timelines or processes that the EPA follows to issue ES Certifications. **For application deadlines and processes, visit the EPA ES Certification website at https://www.energystar.gov/buildings/building_recognition/building_certification/how_apply.**

Note: According to the EPA, an ES Certification **cannot be awarded** unless the energy utility data has been benchmarked (entered) into ENERGY STAR Portfolio Manager.

In keeping with Section 91,9708.4, Notification of the LAMC, the Department will provide at least a six-month notice prior to the compliance due dates. Please read the full text of the original ordinance and amendments at <https://www.ladbs.org/docs/default-source/forms/green-building/ebewe-ordinances.pdf>.

Please visit our website for updates to this **tolling** information and online services **for benchmarking and A/RCx** at <https://ladbs.org/services/green-building-sustainability/existing-buildings-energy-water-efficiency-program>. Email questions regarding benchmarking to ladbs.ebewe@lacity.org or A/RCx to ladbs.arcx@lacity.org and include "EBEWE" and your Building ID and Address on the subject line.

Thank you
EBEWE Team